

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,
MUMBAI BENCH

COMPANY SCHEME PETITION NO. 80 OF 2017

In the matter of the Companies Act,
2013 other relevant provision of the
Companies Act, 2013;

AND

In the matter of Sections 391 to 394
read with Sections 100 to 103 of the
Companies Act, 1956 and other
applicable provisions of Companies
Act 1956 (corresponding section 230
to 232 of the Companies Act, 2013;

AND

In the matter of Scheme of
Arrangement and Amalgamation of
Imkemex India Private Limited and
Imkemex International Private Limited
and Imkemex Marketing Private
Limited and their respective
shareholders and creditors

Imkemex Marketing Private)
Limited, a company)
incorporated under the)
provisions of Companies Act,)
1956 having its Registered)
Office at B 205, Navbharat)
Estates, Zakaria Bunder Road,)
Sewri West, Mumbai - 400015.).....Petitioner Company

Mr. Hemant Sethi i/b. Hemant Sethi & Co., Advocates for the Petitioner
Company

CORAM: B.S.V. Prakash Kumar, Member (Judicial)

V. Nallasenapathy, Member (Technical)

DATE: 27th January 2017

MINUTES OF THE ORDER

1. Petition admitted.
2. Petition fixed for hearing and final disposal on 16th day of March, 2017.
3. Learned Advocate for the Petitioner Company states that in pursuance of Order dated 27th October 2016 passed in CSD No. 855 of 2016, the meeting of the Equity Shareholders was dispensed with in view of consent given by all the five Equity Shareholders. The meetings of Secured and Unsecured Creditors were dispensed with on an undertaking to give individual notices of the date of hearing of Petition upon all its secured and unsecured creditors.
4. At least 14 clear days before the date fixed for hearing, Petitioner to serve an individual notice of hearing of Petition by Registered Post A.D. / Air mail upon all the Secured and Unsecured Creditors of the Petitioner Company.
5. At least 10 clear days before the date fixed for hearing, Petitioner Company to publish the notice of hearing of the Petition in two newspapers, viz 'Free Press Journal', in English language and translation thereof in 'Navshakti, in Marathi language, both having circulation in Mumbai.
6. The Petitioner Company is also directed to serve notices along with copy of scheme upon:- (i) concerned Income Tax Authority with in whose jurisdiction the Petitioner Company's assessments are made, (ii) the Central Government through the office of Regional Director, Western region, Mumbai and (iii) Registrar of Companies, Mumbai with a direction that they may submit their representations, if any, within a period of thirty days from the date of receipt of such notice to the Tribunal with copy of such representations shall simultaneously be served upon the Petitioner Company, failing which, it shall be

presumed that the authorities have no representations to make on the proposals.

7. Petitioner Company to file affidavit of service in the Registry proving dispatch of notices upon all its Creditors and service of notices upon the Regulatory authorities as stated in clause 6 above and publication of notice in newspapers.

Sd/-

B.S.V. Prakash Kumār, Member (Judicial)

Sd/-

V. Nallasenapathy, Member (Technical)